

Application **DENIED** as moot. Plaintiff is directed to refer to the order entered at Dkt. 216.

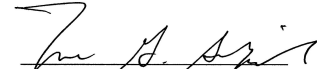
22cv10957

09/20/2024

The Clerk of Court is respectfully directed to mail a copy of this Order to the pro se Plaintiff.

Ali Moore

Dated: September 24, 2024
New York, New York


LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

Motion for Relief from Judgment (Rule 60(b))

Grounds for Relief:

On August 5, 2024, I was explicitly informed by the Southern District of New York that the deadline for submitting my counter-opposition statements was August 16, 2024. This information was conveyed to me during multiple phone conversations with the Federal Court Office and the Pro Se Clerk's Office. I have documented these conversations, including records and detailed notes, which reflect that I acted upon the deadlines communicated to me at that time[from what the evidence points to]. The misinformation provided to me by court staff is evident and has resulted in my current inability to meet the appropriate deadlines. The failure to meet the court's timeline is due to excusable neglect and incorrect information[from what the evidence points to [from the court's own personnel, and not due to any negligence or fault on my part that I can tell yet.

Evidence:

I am in possession of call records that confirm the miscommunication regarding the August 16, 2024 deadline. These phone calls lasted well beyond the automated message duration of 1 minute and 44 seconds, and I documented the exact time and content of these calls. Specifically, I made two calls on August 5, 2024—one at 4:45 p.m. and another at 4:49 p.m.—and recorded notes at 4:52 p.m. detailing the communication I received from court staff. I have also had several subsequent interactions with the Pro Se Office concerning the potential removal of my Fourth Amendment protections[from what the evidence points to], and was informed that no decision had yet been made on that issue. Upon review of my docket sheet and other documents mailed to me, I have discovered that four doctors had been removed[], although they were acting as agents of law enforcement at the time. This omission, alongside the cuff marks on my wrist, further evidences the mishandling of this matter. I have picture and evidence

Filing a Motion for Extension of Time (if applicable):

Additionally, I was never informed that the original deadline was August 2, 2024. Nor was I made aware of any subsequent deadline of September 4, 2024 to what the evidence points to . I have ample evidence that I was provided with incorrect information by court staff[from what the evidence points to]. This miscommunication, beyond my control, has directly contributed to the delays in filing necessary documents. I am submitting this Motion for Relief from Judgment under Rule 60(b) to rectify these errors and seek an extension of time to appeal or respond accordingly.

Mailing and Communication Issues:

I also wish to highlight ongoing issues with mail delivery. I no longer reside at my previous address, having relocated some time ago, but I still collect mail from the same mailbox. The volume of mail is substantial, often causing mail to spill out of the box or be placed behind a screen door. Furthermore, my current location is in an area where transportation is essential[], and due to my ongoing search for employment in a challenging economic climate, retrieving my mail consistently has been difficult. Wind and environmental factors exacerbate these issues, frequently displacing important correspondence.

Additionally, I have been dealing with theft issues at my residence, which have been well-documented and coincided with these mail disruptions. Moreover, my phone has experienced malfunctions, which I had previously reported, and I sent a link regarding this matter to Judge Scholfield via email. I remain in the dark regarding crucial developments in my case, including whether the Fourth Amendment protections have been removed for hospital staff. This removal should not occur, as they acted as agents of law enforcement. I am unaware of any decisions made on this issue and am filing this motion to ensure I can appeal any ruling within the 30-day window if necessary.

Ongoing Miscommunication and Lack of Legal Assistance:

I am self-represented and have a lack of legal experience, which has been compounded by the misinformation I have received from court staff. This misinformation, documented in my records, has severely impacted my ability to navigate my legal matters. The court has referred me to various legal agencies, none of which have provided access to civil attorneys or legal advice. Calls to these agencies often go unanswered, and despite leaving multiple voicemail messages, I have not received any follow-up responses.

Updated Address and Additional Issues:

Regarding my case with the Southern District Court of New York, I now reside at a new address and will provide proof that I have not lived at my previous location for some time. I consistently contact the Pro Se Office or Clerk's Office to stay updated on my case status. However, I prefer not to disclose all details on the docket sheet. Notably, in connection with my ongoing theft issues, three of my Apple trackers have gone missing. Furthermore, there have been persistent issues with mail distribution in my current and former communities, where mail is frequently misdelivered to other residents. As a result, I rely heavily on the Clerk's Office and Pro Se Office for accurate information regarding my cases[].

In light of these facts, I respectfully request relief from judgment and seek an extension of time to properly address the issues and protect my rights.